

# The Gazette of India



## EXTRAORDINARY PART II—Section 2 PUBLISHED BY AUTHORITY

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### LOK SABHA

The following Bills were introduced in Lok Sabha on the 3rd December 1959:—

#### \*BILL No. 94 of 1959

*A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1959-60.*

Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

1. This Act may be called the Kerala Appropriation (No. 2) Act, Short title. 1959.

2. From and out of the Consolidated Fund of the State of Kerala there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of twenty lakhs and thirty-three thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1959-60, in respect of the services specified in column 2 of the Schedule.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

\*The President has, in pursuance of clauses (1) and (3) of article 207, read with clause (2) of article 205 and the Proclamation issued by the President on the 31st July, 1959 under article 356 of the Constitution of India, recommended to Lok Sabha the introduction and consideration of the Bill.

## THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding			5 Rs. 10
		Voted by Parliament	Charged on the Consolidat- ed Fund	Total	
		Rs.	Rs.	Rs.	
II	Land Revenue . . . . .	3,99,200	...	3,99,200	
IX	Heads of State, Ministers and Head Quarters' Staff . . . . .	..	51,200	51,200	
XIV	Jails . . . . .	6,69,000	..	6,69,000	
XV	Police . . . . .	1,97,100	1,400	1,98,500	15
XVIII	Medical . . . . .	28,900	..	28,900	
XIX	Public Health . . . . .	99,500	..	99,500	
XXVI	Civil Works . . . . .	95,500	..	95,500	
XXXI	Transport Schemes . . . . .	10,000	..	10,000	
XXXIV	Capital Outlay on Irrigation (non- commercial) . . . . .	50,000	..	50,000	20
XXXV	Capital Outlay on Public Health . . . . .	2,28,100	..	2,28,100	
XXXVIII	Capital Outlay on Civil Works . . . . .	1,50,000	..	1,50,000	
XL	Capital Outlay on Transport Schemes outside the Revenue Account . . . . .	..	10,000	10,000	
XLII	Capital Outlay on State Schemes of Government Trading . . . . .	..	43,100	43,100	25
	TOTAL . . . . .	19,27,300	1,05,700	20,33,000	

### STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of articles 204(1) and 205 of the Constitution and the Proclamation issued by the President on the 31st July, 1959, in exercise of the powers conferred on him by article 356 thereof to provide for appropriation out of the Consolidated Fund of the State of Kerala of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund and the Grants made by the Lok Sabha for expenditure of the Government of Kerala for the financial year 1959-60.

NEW DELHI;

MORARJI DESAI.

*The 2nd December, 1959.*

## \*BILL No. 90 of 1959

*A Bill to provide for the imposition of a special duty of excise on certain sugar.*

Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

**Short title and commencement.** 1. (1) This Act may be called the Sugar (Special Excise Duty) Act, 1959.

(2) It shall be deemed to have come into force on the 25th day of October, 1959.

**Definitions** 2. In this Act, unless the context otherwise requires,—

(a) “Central Excises Act” means the Central Excises and Salt Act, 1944;

i of 1944.

(b) “factory” means any premises, including the precincts thereof, wherein or in any part of which sugar is being manufactured, or, wherein or in any part of which, any manufacturing process connected with the production of sugar is being carried on or is ordinarily carried on, and includes any premises wherein sugar in respect of which the duty of excise payable under the Central Excises Act or the Additional Duties of Excise (Goods of Special Importance) Act, 1957, has not been paid, is stored;

of 1957.

(c) “sugar” means any form of sugar, whether wholly or partially manufactured, but does not include—

(i) khandsari sugar, that is to say sugar in the manufacture of which neither a vacuum pan nor a vacuum evaporator is employed; or

\*The President has, in pursuance of clause (I) of article 117 and clause (I) of article 274 of the Constitution of India, recommended to Lok Sabha the introduction of the Bill.

(ii) palmyra sugar, that is to say sugar manufactured from jaggery obtained by boiling the juice of the palmyra palm.

3. (1) There shall be levied and collected in respect of that quantity of sugar removed from any factory on or after the commencement of this Act as is equivalent to the quantity of sugar lying in stock on such commencement within the precincts of the factory, a special duty of excise at the rate of rupees two and fifty-two *naya paisa* per cwt.

of special additional excise duty on certain sugar.

10 (2) The duty of excise referred to in sub-section (1) shall be in addition to the duties of excise chargeable on sugar under the Central Excises Act or any other law for the time being in force.

15 (3) The provisions of the Central Excises Act and the rules thereunder, including those relating to refunds and exemptions from duty shall, so far as may be, apply in relation to the levy and collection of the special duty of excise referred to in sub-section (1) as they apply in relation to the levy and collection of the duties of excise on sugar under the Central Excises Act.

10 of 1955. 4. Where, in compliance with an order made with reference to clause (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955, a person is required to sell any sugar, the price of the sugar so required to be sold shall, if he has paid the special duty of excise leviable under section 3 on such sugar, include an amount equivalent to the duty so paid, and he shall be entitled to be paid 25 such amount by the buyer.

Effect of levy of duty on certain transactions.

3 of 1959. 5. The Sugar (Special Excise Duty) Ordinance, 1959, is hereby Repeal.  
repealed.

### STATEMENT OF OBJECTS AND REASONS

This Bill seeks to replace the provisions of the Sugar (Special Excise Duty) Ordinance, 1959 (No. 3 of 1959), promulgated by the President on the 25th October, 1959.

In order to stimulate production of sugar during the current season Government decided to increase the price of sugar-cane. Simultaneously the ex-factory price of sugar was also increased in proportion to the increase in cane price, by Rs. 2.52 per cwt. As the sugar produced out of cane purchased at the old cane price would have got an unintended benefit of the enhanced price, it was decided to mop up these profits for the public exchequer, by promulgation of an Ordinance.

NEW DELHI;  
*The 26th November, 1959.*

MORARJI DESAI.

## BILL No. 91 OF 1959

*A Bill further to amend the Motor Vehicles Act, 1939*

Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Motor Vehicles (Amendment) Act, 1959. Short title and commencement.

5 5. (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

4 of 1939. 2. In the Motor Vehicles Act, 1939 (hereinafter referred to as the principal Act), for sub-sections (2) and (3) of section 1, the following sub-section shall be substituted, namely:—

10 10. “(2) It extends to the whole of India except the State of Jammu and Kashmir:

Provided that Chapter VIII shall take effect in the State of Kerala only from such date as the Central Government may, by notification in the Official Gazette, appoint; and until that Chapter so takes effect in that State, Chapter VII of the Travancore-Cochin Motor Vehicles Act, 1125, shall have effect in that State as if enacted in this Act.”.

15 15. 3. On the commencement of this Act,—

Travancore-Cochin Act 10 of 1125. 20 20. (a) Chapter VII of the Travancore-Cochin Motor Vehicles Act, 1125, shall cease to have effect in the territories transferred to the State of Madras by section 4 of the States Reorganisation Act, 1956, except as respects things done or omitted to be done before such commencement; and

Repeals and savings.

Travancore-Cochin Act 10 of 1125.

37 of 1956.

37 of 1956.

25 (b) Chapter VIII of the principal Act shall cease to have effect in the territories transferred to the State of Kerala under section 5 of the States Reorganisation Act, 1956, except as respects things done or omitted to be done before such commencement.

### STATEMENT OF OBJECTS AND REASONS

The Motor Vehicles Act, 1939, except Chapter VIII which relates to compulsory insurance of motor vehicles against third party risks, came into force on the 1st July, 1939, in what were then known as the Provinces of India. Chapter VIII of the Act was brought into force in the said Provinces on the 1st July, 1946. The Act was extended to the former Part B States under the Part B States (Laws) Act, 1951, with effect from 1st April, 1951. Chapter VIII of the Act was extended to these States, except the State of Travancore-Cochin, on the 29th October, 1956. That Chapter was not extended to the State of Travancore-Cochin because under Chapter VII of the Travancore-Cochin Motor Vehicles Act, 1125, the Government of that State had a monopoly for doing the business of insurance of motor vehicles against third party risks. It is not proposed to alter that position.

2. Under the States Reorganisation Act, 1956, a new State of Kerala was formed. Under this Act, a part of the territory of the former State of Travancore-Cochin was transferred to the State of Madras, while a part of the territory of the State of Madras was added to the new State of Kerala. Under section 119 of this Act, Chapter VIII of the Motor Vehicles Act, 1939, continues to be in force in the territory of the State of Madras which was added to the new State of Kerala, while Chapter VII of the Travancore-Cochin Motor Vehicles Act, 1125, applies to that part of the territory of the former State of Travancore-Cochin which was transferred to the State of Madras. The result is that there are two sets of laws on the same subject in force in different parts of the States of Kerala and Madras. It is considered desirable that each of these two States should have a uniform law on the subject throughout its territory. This legislation is intended to achieve that object.

NEW DELHI;

RAJ BAHADUR.

*The 26th November, 1959.*

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M. N. KAUL,  
*Secretary.*